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SUBJECT: ANTIGUA AND BARBUDA: UPDATE OF THE WORST FORMS OF
CHILD LABOR INFORMATION

REF: STATE 184972

11. Summary: While Antigua and Barbuda lacks a comprehensive policy or action program on child labor, it does have a policy and legal framework for addressing issues connected with child labor, including education, child care, welfare, social security, and labor administration. Antiguan officials interviewed claim that the country has no problems with child labor or the worst forms of child labor. Though little research has been done on this issue by Antigua or outside organizations, it is likely that the extent of the worst forms of child labor problem is limited, given Antigua's relative prosperity, compulsory education system, and well developed social safety net. End Summary.

12. The following answers are keyed to questions concerning worst forms of child labor contained in reftel:

A) Laws and regulations proscribing the worst forms of child labor.

Antigua and Barbuda has ratified both ILO Conventions 138 and 1182. While Antigua and Barbuda has not adopted legislation addressing child labor per se, the country has in place laws and regulations on minimum employment age, compulsory education, childcare protection, social security, and labor administration, as well as the criminal code, which outlaws among other things prostitution, pornography, and drug trafficking.

Antigua and Barbuda has not developed a list of hazardous occupations or laws specifically targeting the worst forms of child labor. According to Sheree Yearwood, the ILO Desk Officer at the Antiguan Ministry of Labour, Public Administration, and Empowerment, developing such lists and laws has been considered unnecessary because the Antiguan government has no evidence that child labor, including its worst forms, is a problem in the country.

Yearwood said that Antigua's minimum age for employment is set at 16, which is also the age until which children are required to attend school. Some children younger than 16 may work, but according to Yearwood, they work only a few hours a week and usually during the summer. Younger workers in some areas, such as construction, must present medical documentation certifying that they are fit for harder labor.

B) Regulations for implementation and enforcement of

proscription against the worst forms of child labor.

The Antiguan government implements and enforces labor laws through the Ministry of Labour, Public Administration, and Empowerment. The Ministry employs two inspectors, who conduct periodic inspections, both announced and unannounced, of Antiguan employers. Any violations of Antiguan laws would be referred to the relevant authorities. According to Yearwood, the Ministry's inspectors have yet to uncover any problems involving child labor. The Citizens Welfare Division of the Ministry of Housing, Culture and Welfare is charged with investigating all matters concerning the welfare of children, and the Royal Police of Antigua and Barbuda would investigate all suspected criminal activities. According to Citizen Welfare Division's Child Welfare Officer, Faustina Jarvis, the Division works closely with the police, hospitals, church and community groups to protect and remove children from abusive situations. She noted, however, that the Division's efforts could benefit from a central data collection point to keep better track of information and analyze it for possible trends.

Yearwood acknowledged that the Antiguan government has conducted no research into the issue of child labor and is therefore basing its assumption that child labor is not a problem in the country on the absence of any reported cases. Antigua's growing economy and relatively strong social safety net would suggest that Antiguan children would be less likely to resort to or be pressured into the worst forms of child labor because of poverty.

However, the situation may be different for immigrant children. Sheila Roseau, Director of the Gender Affairs

BRIDGETOWN 00002204 002 OF 002

Division in the Ministry of Labour, Public Administration, and Empowerment, agreed with Yearwood's assessment that child labor does not appear to be a problem in Antigua. However, Roseau recalled one case of child prostitution in 2002 or 2003. The case reportedly led to the conviction and imprisonment of the perpetrator. Jarvis also recalled this case, adding that it involved a Guyanese girl who was essentially trafficked into Antigua and then sexually exploited. UNICEF's program officer Heather Stewart, who is based in Barbados, agreed that one possible area of concern could be Antigua's growing immigrant population, mainly from the Dominican Republic. According to Stewart, the language barrier and uncertain legal status of the immigrants may leave them and their children vulnerable to exploitation.

C) Whether there are social programs to prevent and withdraw children from the worst forms of child labor.

Like other countries in the region, Antigua has used education as the primary tool to prevent child labor and the worst forms of child labor. Education is compulsory up to the age of 16, and it is free through the secondary level. Attendance at primary and secondary schools is monitored by the Ministry of Education's truancy officers, and any attendance problems are reported to the Ministry of Labor's Citizens Welfare Division.

However, a 2001 report on Antigua's implementation of the UN Convention on the Rights of the Child noted a certain level of discrimination in access to free public education for the children of immigrants. According to the report, Ministry of Education officials has sought to alleviate the shortage of public school spaces by directing immigrants' children to private, fee-charging schools. According to Jarvis, this discrimination may still be occurring, but as the immigrants' status becomes "regularized" their children usually move to the free public schools.

The Citizens Welfare Division is charged with protecting children from abuse and would therefore be involved in any instances of the worst forms of child labor. The Division

cooperates with religious and church organizations in removing children from abusive situations and placing them in safe environments. Jarvis mentioned the Good Shepherd Home for Girls, run by the Catholic Church, and the Sunshine Home for Girls, run by the Salvation Army, as the two alternatives they use most frequently. Jarvis noted that the two homes do not accept boys, unless they are infants, and abused boys are therefore usually placed in foster care.

D) Policies aimed at the elimination of the worst forms of child labor.

Antigua does not have a comprehensive policy or national program of action on child labor.

E) Progress toward eliminating the worst forms of child labor.

Since ratifying ILO Convention 182 on the worst forms of child labor in 2002, Antigua has not taken any significant steps toward implementing the Convention's provisions. The government's complacency is due in large part to the assumption that child labor is not a problem in Antigua. The lack of research or reported data does not necessarily mean that the problem does not exist in Antigua and Barbuda, as the one case reported here demonstrates. However, given the country's relative prosperity, compulsory education system, and well developed social safety net, it is likely that the extent of the worst forms of child labor problem is limited in Antigua and Barbuda.

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